

**DODGE COUNTY LAND RESOURCES AND PARKS COMMITTEE  
MINUTES  
July 20, 2020**

The Dodge County Land Resources and Parks Committee met on July 20, 2020 at 7:00 p.m. on the 1<sup>st</sup> Floor of the Administration Building, Juneau, Wisconsin.

Chairman Schaefer called the meeting to order. Roll Call was taken. Members present were Allen Behl, Mary Bobholz, Tom Schaefer, Travis Schultz and Larry Schraufnagel. (Larry Schraufnagel participated by phone). The staff present at the request of the Chairman were Bill Ehlenbeck and Joseph Giebel.

Other County Board members in attendance: **None**

The Chairman asked the staff to confirm compliance with the open meeting laws and the public hearing notice requirements. Joseph Giebel noted that the meeting was properly noticed in accord with the open meeting law and noted that the required notices for the public hearings listed on the agenda were posted, mailed and published in accord with the statute and code requirements.

**ADMINISTRATIVE BUSINESS - Parks**

Authorize the purchase of touchless faucets and hand dryers.

- This matter was withdrawn for consideration at this time and will be placed on the August 3, 2020 agenda for consideration.

**The hearing procedures were read into the record.**

**PUBLIC HEARING**

**Compass Surveying, LLC, agent for James Kmiec - Request for a Conditional Use Permit** under the Land Use Code, Dodge County, Wisconsin to allow for the creation of an approximate 3.1-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The property is located in part of the NW ¼ of the NE ¼, and part of the SW ¼ of the NE ¼, Section 33, Town of Calamus, the site address being N5212 USH "151".

Motion by Mary Bobholz to approve the conditional use permit to allow for the creation of an approximate 3.1-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District subject to the following conditions:

1. The applicant shall obtain the required land division approvals for the proposed lot from the County and local municipalities if required, prior to the creation of these lots;
2. The proposed non-farm residential lot shall not exceed 3.26-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;
3. Only one single family residential unit may be located on the proposed 3.112-acre non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units;
4. The acreage of the proposed non-farm residential lot shall count towards the total non-farm residential acreage that can be created from the base farm tract for this property;
5. A "Notice of Zoning Limitations" document shall be recorded with the Dodge County Register of Deeds Office for the following parcels which make up the "base farm tract"

which notifies the potential buyers of these parcels that there may be limitations as to the number of new lots that can be created from this base farm tract:

- 008-1113-3313-000, 008-1113-3312-000;
6. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;
  7. The decision of the Committee shall expire one year after the decision is filed with the Department unless the lot is created, or the Conditional Use Permit is renewed, for a period not to exceed one year.

Second by Travis Schultz      Vote 5-0      Motion carried.

**PUBLIC HEARING**

**Barbara Schobat** - Request to rezone approximately 9-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district to allow for the creation of two non-farm residential lots at this location. The site is located in part of the SW ¼ of the NW ¼, Section 32, Town of Lomira, the site address being N9945 N Bluemound Road.

Motion by Larry Schraufnagel to submit a favorable recommendation to the County Board of Supervisors on the request to rezone approximately 9-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district to allow for the creation of two non-farm residential lots at this location.

Second by Allen Behl      Vote 5-0      Motion carried.

**PUBLIC HEARING**

**Mark Bohn Carpentry, agent for Kevin Knoll** – Request to rezone approximately 3-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district to allow for the creation of a 3-acre non-farm residential lot at this location. The site is located in part of the NW ¼ of the NE ¼, Section 35, Town of Leroy, the site address being W3087 Farmersville Road.

Motion by Mary Bobholz to submit a favorable recommendation to the County Board of Supervisors on the request to rezone approximately 3-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural zoning district to allow for the creation of a 3-acre non-farm residential lot at this location.

Second by Travis Schultz      Vote 5-0      Motion carried.

## **PUBLIC HEARING**

**Tony Phillips, Fullerton Engineering, agents for Lendlease / ATT, and Donald Fellwock –** Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow the construction of an approximate 254-foot wireless communications tower and facility. The site is located in part of the NW ¼ of the SE ¼, Section 23, Town of Lomira, the site address being N10671 County Road H;

Motion by Allen Behl to approve the conditional use permit request to allow the construction of an approximate 254-foot wireless communications tower and facility subject to the following conditions:

1. The proposed tower shall meet or exceed current standards and regulations of the FAA, FCC, and any other agency of the Federal Government with the authority to regulate towers and antennas.
2. The tower shall be painted with alternate bands of aviation orange and white paint as specified in Section 4.9.3.A.1 of the Code.
3. The design of the buildings and related structures at this tower site shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and built environment per 4.9.3.A.2.
4. If required, the tower shall be lighted, in accord with the applicable FAA or other regulations.
5. Accessory facilities must satisfy all applicable setback requirements of Chapter 5 of this Code.
6. The tower and antennas shall not be used for any advertising.
7. The tower shall be designed, structurally, electrically and in all respects to accommodate co-location of both the applicant's antenna(s) and comparable antenna(s) for at least three additional users and shall make access to the tower and tower site for additional users at a fair and reasonable price.
8. The site shall be landscaped to satisfy the requirements of Section 4.9.3.F of the Code. A copy of the landscaping plans shall be submitted to the Department for review and approval prior to the approval of the conditional use permit.
9. Any change and/or expansion of the tower site, including any change in height of the tower and antennas above 254' may require that a new Conditional Use Permit be obtained.
10. A County Land Use Permit for the construction of the tower shall be obtained by the applicant prior to beginning construction.
11. A highway access permit shall be obtained from the Dodge County Highway Department for any new access on to County Road H.
12. The applicant shall submit a copy of a signed agreement to the Department between the property owner and the owner of the tower and supporting equipment and buildings detailing requirements for the abandonment and subsequent removal based on the provisions of Section 4.9.3.G.1 of the Code. This agreement shall contain provisions binding said agreement in future property owners and future owners of a tower, antennae and all supporting equipment and buildings prior to the issuance of the land use permit;
13. The decision of the Committee is valid for one year.

Second by Larry Schraufnagel

Vote 5-0

Motion carried.

**COMMITTEE REVIEW OF CONDITIONAL USE PERMIT**

**Review Conditional use permit - 2004-1449; Robert and Sharon Haase – SW ¼ NW ¼, Section 15, Town of Calamus - Agricultural trucking company within the A-2 General Agriculture Zoning District. Review current operation to determine if a new conditional use permit may be required.**

Motion by Allen Behl to require Pine Hills Trucking to apply for and obtain a new conditional use permit to authorize the expansion of the business beyond the limits set by the existing conditional use permit.

Second by Travis Schultz      Vote 5-0      Motion carried.

**ADMINISTRATION**

1. Department Budget Update

Bill Ehlenbeck provided the Committee with a budget status report on the Department Budget.

2. The minutes from the July 13, 2020 meeting were reviewed by the Committee.

Motion by Mary Bobholz to approve the minutes as written.

Second by Travis Schultz      Vote: 5-0      Motion carried.

3. No Committee Member Reports

4. No additional Per Diems.

Motion by order of the Chairman to adjourn the meeting.

Meeting adjourned at 8:56 p.m.

Respectfully Submitted,



**Allen Behl, Secretary**

Disclaimer: The above minutes may be approved, amended or corrected at the next committee meeting.